

REMARKS

Claims 1-11 are pending in the present application. New claim 11 has been added.

Restriction Requirement

In response to the Restriction Requirement dated December 8, 2008, the following remarks are respectfully submitted in connection with the above-identified application.

The Examiner has required election in the present application between:

Group I, claims 1-5, drawn to steam cooker, classified in class 99, subclass 357; and

Group II, claims 6-10, drawn to a manufacturing method for a multi-tube container, classified in Class 53, subclass 396.

For the purpose of examination of the present application, Applicants elect, with traverse, the above Group II, claims 6-10.

Applicants traverse this Requirement for the following reasons.

The invention of Group II is related to a subcombination that is essential to a combination as claimed (i.e., the invention of Group I: claims 1-5) because claim 1 comprises a steam generator that requires the particulars or details of claim 6. Therefore, the inventions are not distinct, even if the subcombination has a separate utility (see MPEP 806.05(c)).

Further, in the present application, we believe that examining both the combination and the subcombination would not impose a serious burden on the Examiner.

In view of this Applicants respectfully submit that the Restriction Requirement should be withdrawn and all claims should be examined in the present application.

New Claim

New claim 11 has been added.

This claim is directed to the elected invention and should be examined in the present application.

A favorable determination by the Examiner and allowance of this claim is earnestly solicited.

If the Examiner has any questions concerning this application, the Examiner is requested to contact the undersigned, at (703) 205-8000 in the Washington, D.C. area.

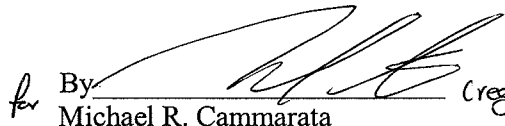
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi, Registration No 40,417 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: October 22, 2008

Respectfully submitted,

By  (reg. # 40,417)
Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant